



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Elgie B. Richards

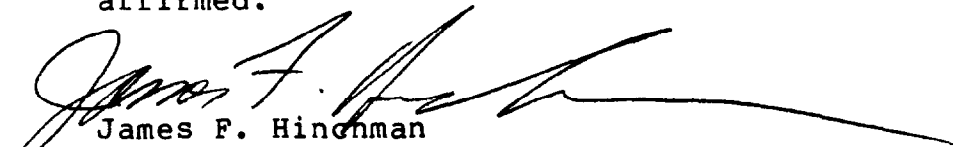
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Date: August 9, 1989

DECISION

Mr. Richards, a General Schedule employee of the Navy Department, appeals two settlements by our Claims Group (Z-2863812, Jan. 31 and Apr. 14, 1988) which denied his claims for salary adjustment pursuant to 5 U.S.C. § 5333(b) based on his supervision of higher paid Wage Grade employees.

As discussed in the Claims Group's settlement certificates, salary adjustments under 5 U.S.C. § 5333(b) and its implementing regulations are permissive not mandatory. See also James L. Davis, B-212581, May 16, 1984, and decisions cited.^{1/} The record does not establish that the Navy abused its discretion in declining to grant such adjustments to Mr. Richards. Accordingly, the actions of the Claims Group disallowing Mr. Richards' claims are affirmed.


James F. Hinchman
General Counsel

^{1/} Contrary to Mr. Richards' argument, language in a Navy Instruction applicable to his case (Civilian Manpower Management Instruction 531.S3, para. c(1)) which states that pay for supervisors "will be adjusted when justified" confirms the discretionary nature of such adjustments.

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